

CHTMAV

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

FILED BY *[Signature]* 05 MAY 27 PM 3:51  
CLERK, U.S. DIST. C.  
W. D. OF TN, MEMPHIS

**BILLY ALLRED, DECEASED,  
MARY MCCAIN AND JANICE SHUFFIELD,  
AS PETITIONERS and ADMINISTRATRICES,**

**Plaintiffs,**

**v.**

**DOCKET No.: 04-2596-Ma V**

**MID-SOUTH TISSUE BANK, INC.,  
UNITED DONOR SERVICES, LLC,  
CATHY UNDERWOOD, TIMOTHY  
BRAHM and KEVIN FOLEY, M.D.,**

**Defendants.**

**CONSENT ORDER FOR ENLARGEMENT OF TIME TO JOIN PARTIES, AMEND  
PLEADINGS, AND FILE AN INITIAL MOTION TO DISMISS**

Now on this 16<sup>th</sup> day of May, 2005, come the parties by and through counsel and enter into this agreement that Defendants Mid-South Tissue Bank, Inc., United Donor Services, LLC, Cathy Underwood, Timothy Brahm and Kevin Foley, M.D. and Plaintiffs, Billy Allred, Deceased, Mary McCain and Janice Shuffield, be granted additional time pursuant to Rule 6 of the Federal Rules of Civil Procedure of 60 days to Join Parties and Amend Pleadings, and an additional 60 days to file Initial Motions to Dismiss. Pursuant to the Scheduling Order entered in this matter on February 28, 2005, the deadline for Joining Parties and Amending Pleadings is May 15, 2005 and the deadline for filing an Initial Motion to Dismiss is June 15, 2005. Therefore, if this order is granted, the parties' deadline for Joining Parties and Amending

19


Pleadings shall be July 15, 2005, and the parties' deadline for filing Initial Motions to Dismiss shall be August 15, 2005.

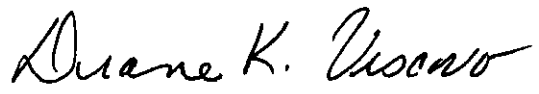
Both parties are requesting an enlargement of time since they have not been able to obtain a complete set of medical records, including radiographs, in this matter despite a great deal of effort expended. Since this case involves medical treatment, a complete medical chronology is critical for a full evaluation of the case by both the plaintiffs and the defendants.

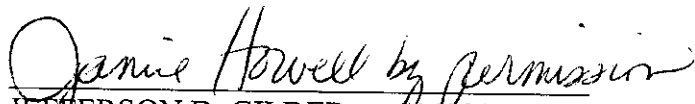
The Court finds that for good cause shown, and by agreement of the parties, the request for an extension of time should be granted.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED**

APPROVED:

  
\_\_\_\_\_  
DARRELL E. BAKER, JR. #16388  
DEBORAH WHITT #16949  
Attorney for the Defendants  
Mid-South Tissue Bank, United Donor  
Services, LLC, Cathy Underwood,  
Timothy Brahm and Kevin Foley, M.D.  
6800 Poplar Avenue - Suite 205  
Memphis, TN 38138  
(901)737-5656  
(901)737-5606 fax

  
\_\_\_\_\_  
U.S. Magistrate Judge  
May 26, 2005

  
JEFFERSON D. GILDER #14321  
JAMIE W. HOWELL, JR. #16361  
P.O. Box 193  
7090 Malco Boulevard, Suite 111  
Southaven, MS 38671



## Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:04-CV-02596 was distributed by fax, mail, or direct printing on May 31, 2005 to the parties listed.

---

Darrell E. Baker  
BAKER & WHITT PLLC  
6800 Poplar Ave.  
Ste. 205  
Memphis, TN 38138

Jamie W. Howell  
GILDER HOWELL & ASSOCIATES, P.A.  
7090 Malco Blvd.  
Ste. 111  
Southaven, MS 38671

Jefferson D. Gilder  
GILDER HOWELL & ASSOCIATES, P.A.  
7090 Malco Blvd.  
Ste. 111  
Southaven, MS 38671

Honorable Samuel Mays  
US DISTRICT COURT